



Paul E. Helliker  
Director

# Department of Pesticide Regulation



Gray Davis  
Governor  
Winston H. Hickox  
Secretary, California  
Environmental  
Protection Agency

August 16, 2001

Executive Office #01-03

TO: COUNTY AGRICULTURAL COMMISSIONERS

SUBJECT: APPEALS TO THE DISCIPLINARY REVIEW COMMITTEE

The purpose of this letter is to inform you of the statutory time period within which a fined or suspended structural pest control company or licensee, or a fined unlicensed individual, may file a written appeal to the Disciplinary Review Committee.

Under section 8662(a) of the Business and Professions Code, persons who want to appeal must file a written appeal with the committee within ten days of the receipt of the commissioner's order. Also, the company, licensee, or unlicensed individual must have requested and appeared at a hearing provided by the commissioner.

The commissioner's Notice of Decision, Order, and Right to Appeal should reflect this ten-day time limit within which an appeal may be filed with the Disciplinary Review Committee. A sample Notice of Decision, Order, and Right to Appeal is enclosed.

If you have any questions, please feel free to call Ms. Linda Thepot or Mr. Gary Knutilla, Staff Counsels, at (916) 324-2666.

Sincerely,

(original signed by)

Sharon Dobbins  
Chief Counsel  
(916) 324-2666

Enclosure

cc: Ms. Linda Thepot, Staff Counsel  
Mr. Gary Knutilla, Staff Counsel  
Mr. Daniel J. Merkley, Agricultural Commissioner Liaison

***FLEX YOUR POWER!*** *The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web site at <[www.cdpr.ca.gov](http://www.cdpr.ca.gov)>.*



SAMPLE

COUNTY OF XXXXX LETTERHEAD STATIONERY

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NOTICE OF DECISION, ORDER, AND RIGHT TO APPEAL

TO: NAME (License Number)  
ADDRESS  
CITY, STATE ZIP CODE

FILE NO: XXX

The attached proposed decision of the Hearing Officer is adopted by the XXX County Agricultural Commissioner as his/her final decision in the matter.

**ORDER: You are ordered to pay a fine of \$XXX. This order shall be effective twenty (20) days after the date of this notice, unless an appeal is filed as specified below.**

APPEAL RIGHTS: If you requested and appeared at a hearing, you may appeal this decision and order to the Disciplinary Review Committee by mailing a written appeal request, which states the grounds for the appeal, within ten (10) days of receipt of this notice. Enclose a copy of this decision with your appeal request to the committee, and send a copy of your appeal request to the commissioner's office at the same time you mail the appeal request to the committee.

DATED: XXX

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Name  
Agricultural Commissioner

Make check payable to: **Structural Pest Control Education and Enforcement Fund**

**MAIL CHECK AND A COPY OF THIS DECISION TO:**

Structural Pest Control Board  
1418 Howe Avenue, Suite 18  
Sacramento, California 95825

If you appeal, mail the appeal request and a copy of this decision to:

Disciplinary Review Committee  
c/o Department of Pesticide Regulation  
Office of Legal Affairs  
P.O. Box 4015  
Sacramento, California 95812-4015